



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s) : Yoshiaki UMEHARA

Appn. No. : 09/695,874

Filed : October 26, 2000

For : CALIPER BODY AND METHOD OF MANUFACTURING CALIPER
BODY OF VEHICULAR DISC BRAKE

REQUEST FOR REFUND

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

Applicant respectfully requests a refund in the amount of \$120.00 that was charged to our Deposit Account No. 19-0089 on October 20, 2005 in connection with the filing of the Appeal Brief under 37 C.F.R. 41.37(a) on October 14, 2005. The basis for this Request for Refund is that the Appeal Brief was filed in timely manner, i.e., within one month of the mailing of the Notice of Panel Decision from Pre-Appeal Brief Review. Attached hereto is a photocopy of the Notice of Panel Decision from Pre-Appeal Brief Review, mailed September 15, 2005. Also attached hereto is the date-stamped receipt evidencing the timely submission of the Appeal Brief.

Respectfully submitted,
Yoshiaki UMEHARA

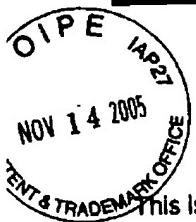
Andrew M. Calderon
Registration No. 38,093

November 8, 2005
JIMM & BERNSTEIN, P.L.C.

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Application Number	Application/Control No.	Appl. /Patent under Reexamination
	107 09/695 874	Umezura et al.
Examiner: Melody Burch	Art Unit	3683
Document Code - AP,PRE,DEC		

Notice of Panel Decision from Pre-Appeal Brief Review



This is in response to the Pre-Appeal Brief Request for Review filed 7/22/05.

1. **Improper Request** – The Request is improper and a conference will not be held for the following reason(s):

- The Notice of Appeal has not been filed concurrent with the Pre-Appeal Brief Request.
- The request does not include reasons why a review is appropriate.
- A proposed amendment is included with the Pre-Appeal Brief request.
- Other: _____

The time period for filing a response continues to run from the receipt date of the Notice of Appeal or from the mail date of the last Office communication, if no Notice of Appeal has been received.

2. **Proceed to Board of Patent Appeals and Interferences** – A Pre-Appeal Brief conference has been held. The application remains under appeal because there is at least one actual issue for appeal. Applicant is required to submit an appeal brief in accordance with 37 CFR 41.37. The time period for filing an appeal brief will be reset to be one month from mailing this decision, or the balance of the two-month time period running from the receipt of the notice of appeal, whichever is greater. Further, the time period for filing of the appeal brief is extendible under 37 CFR 1.136 based upon the mail date of this decision or the receipt date of the notice of appeal, as applicable.

- The panel has determined the status of the claim(s) is as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 6-11,13-16,18-28.

Claim(s) withdrawn from consideration: _____

3. **Allowable application** – A conference has been held. The rejection is withdrawn and a Notice of Allowance will be mailed. Prosecution on the merits remains closed. No further action is required by applicant at this time.

4. **Reopen Prosecution** – A conference has been held. The rejection is withdrawn and a new Office action will be mailed. No further action is required by applicant at this time.

All participants:

(1) _____

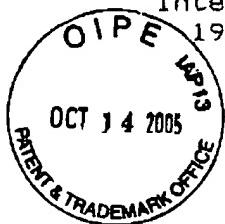
(2) Melody Burch MB

(3) Charles Marmor CM

(4) Thomas Williams TW

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GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



10/14/2005

File In: Mailroom

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- Appeal Brief under 37 C.F.R. 41.32(p)*
- Amendment _____
 Executed Assignment and cover letter
 Executed S.E.S. S.E.S. Assertion
 Req. for Ext. of Time
 Fee Filing Recording Issue Extension Publication
Appeal Brief
 Fee Transmittal
 Maintenance Fee Payment
 PTOL-85B Issue Fee & Publication Fee
(with copy)
 Cover Letter Regarding Drawings
 Design Patent Application Transmittal
 Utility Patent Application Transmittal
 Provisional Application Cover Sheet
 Request for Continued Examination
(RCE) including Submission
 Cover Letter
 Check No. **55876** for \$ **500.00**
 Credit Card Payment
(Form PTO-2038) for \$
 Rule 53b and 53f Letter for
Unexecuted Application
 Application Data Sheet
- Claim of Priority & Certified
Copy of _____
 Declaration Executed
 Unexecuted
 Copy from parent
 Transmittal Letter
 Patent Application
 Provisional Reexam
 Reissue Design
 Continuation CIP
 Divisional
_____ pages (w/abstract)
_____ claims _____ independent
_____ sheets of drawings
_____ figures
 I.D.S. form PTO-1449 &
Documents as attached
 as listed on
reverse
 One self-addressed postcard
 Certification under 1.97(e)
 Certificate of Mailing (C-O-M)
 Returned Envelope

In the matter of : CALIPER BODY AND METHOD OF MANUFACTURING CALIPER
BODY OF VEHICULAR DISC BRAKE

Applicant : Yoshiaki UMEHARA

Application No. : 09/695,874

Patent No. :

Filed : 10/26/2000

Issued :

Docket : P27286 A/C

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United States Patent and Trademark Office
- Sales Receipt -

10/20/2005 TMCBRIDE 00000003 190089 09695874

01 FC:1251 120.00 DA

Adjustment Date: 12/13/2005 SDIRETAL
10/20/2005 TMCBRIDE 00000003 190089 09695874
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